

REMARKS

Claims 1-26 are pending in the application, with claims 1, 7 and 18 being written in independent form.

I. Examiner Interview:

Applicants thank the Examiner for the courtesies extended during the May 2, 2005 telephone interview. During the interview, the Examiner indicated that the formula appearing in claim 6 should be amended to achieve the results indicated in Table II on page 10 of the specification. The Examiner also indicated that claim 7 should be amended to more clearly recite the preceding and future back-off delay windows in the alternative.

To address the Examiner's concerns, Applicants amend claims 6 and 7 to implement the claim language that was discussed during the telephone interview. Although not objected to by the Examiner, Applicants also amend claims 17 and 23 to be consistent with claim 6. Applicants also amend the specification (page 10) to be consistent with claims 6, 17 and 23.

The above description, which is believed to satisfy the requirements of MPEP 713.04, is intended as an explanation only and is not intended to limit the invention defined by the claims of the present application.

II. Allowable Subject Matter:

At paragraph 4 of the Office Action, the Examiner indicates that claims 5, 6, 15-17, and 21-23 would be allowed if they were rewritten in independent form. Applicants do not, however, rewrite these claims as suggested by the Examiner because independent claims 1, 7 and 18 are believed to be patentable for the reasons discussed in detail below.

III. Claim Rejections on Prior Art Grounds:

The Examiner rejects claims 1, 4, 7, 8, 12-14, 25 and 26 under 35 U.S.C. §103(a) as being obvious over US 6,285,662 to Watanabe et al. ("Watanabe"), in view

of US 6,215,792 to Abi-Nassif ("Abi-Nassif"). Applicants respectfully traverse these rejections in view of the following remarks.

To swear behind the Watanabe reference, Applicants submit a Rule 131 Declaration with this request. Applicants respectfully assert that the Rule 131 Declaration (along with the supporting exhibit) effectively removes Watanabe as prior art, thereby overcoming all of the raised prior art rejections.

For these reasons, Applicants respectfully submit that claims 1-26 are patentable.

CONCLUSION


In view of the above, reconsideration and allowance of each of claims 1-26 is earnestly solicited.

Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicant(s) hereby petition(s) for a one (1) month extension of time for filing a reply to the Office Action and submit the required \$120.00 extension fee herewith.

Should there be any matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,
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